

## Masculinity, MeToo, & Ethics Beyond Consent

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In his *The Virgin Suicides*, Jeffrey Eugenides narrates a scene of violence against the sexual that points to a problem of ethics that goes beyond what can be negotiated, or consented to. After Trip Fontaine and Lux are crowned King and Queen of the prom, they leave the dance, and walk onto the football field.

They walked past the fifty, the forty, and into the end zone, where no one saw them. The white stripe Uncle Tucker later saw on Lux's coat came from the goal line she lay down upon. Throughout the act, headlights came on across the field, sweeping over them, lighting up the goalpost. Lux said, in the middle, "I always screw things up. I always do," and began to sob. Trip Fontaine told us little more.

We asked him if he put her in the cab, but he said no. "I walked home that night. I didn't care how she got home. I just took off." Then: "It's weird. I mean, I liked her. I really liked her. I just got sick of her right then."<sup>1</sup>

What is at stake for Lux, when she is having sex with Trip on the football field, is something at work in her body that is the cause of both her enjoyment and her anxiety, and which is mobilized by the unconscious experiences that constitute her as a subject, and that pushes its way to speech when she says, "I always screw things up," and begins to cry. The violence of Trip's response to her enigmatic speech, and of his response to

<sup>1</sup> Jeffrey Eugenides, *The Virgin Suicides* (New York: Warner Books, 1994), 138-139.

the sob that goes beyond what she can say, is that he refuses her subjectivity at this moment of exposure, at this moment that she addresses him as an other who could accompany her in what she does not know of herself, treating her rather as something to be used and cast off. We can hypothesize that when Lux speaks — when her speech reveals itself as what is at stake in “the act” on the football field — she opens Trip to something he cannot understand. Leaving her on the field constitutes a decision to use his orgasm to mark the end of “the act” — after which, having gone all the way, he can go home — and to limit his exposure to the feminine. And yet the home he returns to will be diminished by this violence that closes off the pathway that the unknown object of unconscious desire takes as it realizes itself in speech. The problem that Eugenides poses here has to do with the ethics at stake for a man when he is alone with a woman. Where there is no other who can tell him what to do, will he take the risk of accompanying the other down a path that leads to an unknown jouissance, or will he use the other as an object in an always desperate attempt to control an excess in his body that orients him towards something unknown for which he has no words?

There is no crime committed: their encounter was consensual. And yet there is clearly a failure of ethics, a flight from something that went too far, that could not be controlled. In these terms, and at its best, MeToo might be understood as an incitement for a man to enter into the field of sexuality, of the erotic as such, that has nothing to do with genitality, reproduction, or the orgasm — the field, as Willy Apollon will say, that is opened by speech. To this end, it is important to distinguish MeToo from a discourse of consent, from the idea that what is at stake in sexuality is a negotiated access to the other’s body. It was only in the 1980’s and 1990’s that a global wave of legal reforms made marital rape illegal, and in the 1990’s a widespread discourse of consent emerged that still finds its almost iconic expression in Antioch College’s 1993 date rape policy “that stipulates that each stage of sexual encounter should be verbally consented to.”<sup>2</sup> Pamela Haag argues in her 1999 *Consent* that this discourse brought with it its own impasses and blind spots. Pointing to, for instance, Gloria Steinem’s defense of the sexual relationship between Bill Clinton and Monica Lewinsky as consensual and thus nobody’s business, Haag notes that this idea of sexual consent is a

<sup>2</sup> Pamela Haag, *Consent: Sexual Rights and the Transformation of American Liberalism* (Ithaca: Cornell UP, 1999), xiv

“noncontextual, metaphysical abstraction” that was “initially articulated in economic contracts and relations of the ‘free market.’”<sup>3</sup> Haag makes the prescient argument that the discourse of consent is “perilous”<sup>4</sup> for feminists because “it presupposes, implicitly [...] that women and men already have sufficient equality and parity in heterosexual relations that they *can* make straightforward, verbal assertions that adequately reflect desires.”<sup>5</sup> Because of power imbalances, in other words, consent cannot be freely given.

It is in these terms that Jean-Claude Milner identifies what he calls an implicit philosophy of the MeToo movement. Drawing a parallel between Marx’s critique of asymmetrical contracts, and the idea that a woman in a “so-called sexual contract”<sup>6</sup> is always in a position of structural weakness, Milner argues that the MeToo movement involves the thesis that “every sexual act between a man and a woman is a potential rape, regardless of whether she initially gave her consent, took the initiative, or experienced pleasure.”<sup>7</sup> This means, Milner continues, that a woman could retrospectively feel “that she has been subjected to some kind of psychological or physical violence; although she did not feel it during the act, her belated grievance is justified.”<sup>8</sup> The implicit philosophy of MeToo thus concludes that not only “no male can act innocently in coitus” but that “men have no rights in the domain of sexual relations.”<sup>9</sup> Milner, who analyzes MeToo as a social phenomenon, argues that the fundamental inequity of these positions is part of the program of MeToo, which tries to reverse the inequity of sexual relations by putting forward that “the only effective weapon against inequity is inequity itself, provided that it systematically reverse the former inequity’s orientation.”<sup>10</sup> If, however, we bracket these questions of inequity, which are at the heart of the indignation of the apocryphal good man whose life has been destroyed by unjust accusations, the stakes of the theses that Milner puts forward take on a

<sup>3</sup> Ibid, 180.

<sup>4</sup> Ibid, 180

<sup>5</sup> Ibid, 181.

<sup>6</sup> Jean-Claude Milner, “Reflections on the MeToo Movement and Its Philosophy,” *Problemi International*, vol. 3, no. 3, 2019: 77

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid, 79

<sup>10</sup> Ibid.

different color. The reason that no man can “act innocently in coitus” is not because he is guilty in advance, but because he can no more act innocently in matters of sex that he can act innocently in any other domain of his life. And while a man has every right to be protected from abuse, to not be raped, or subjected to violence, any right in the domain of the sexual would be a right for the wrong thing.

Whatever the successes, failures, and impasses of MeToo, the movement leaves as its indelible trace the fact that there is something fundamentally wrong in the way that society structures sexuality and silences the erotic by presenting women’s bodies as objects whose only destiny is to be enjoyed by others. It is not that there could be a better discourse of consent, or that if social advances could eliminate the power imbalance between men and women consent could finally be freely given, for what is at stake in the sexual has precisely to do with what cannot be resolved in language, but rather with the experiences that are inscribed in, and at work in, what Apollon calls the “letter of the body.”<sup>11</sup> These experiences, inscribed in the body, which are never named, and to which the Other has no access, constitute the erotic body as such. It is what is inscribed in the body that pushes the human to speech. Apollon writes that “If man speaks, it is no doubt because a jouissance, which is the effect of the absence of this Other who now haunts his living universe, unleashes in him these things he has heard and that he needs to see, and that he looks to the other, his companion, to validate for him.”<sup>12</sup> The same, of course, is true for a woman. The risk, for a man, in a woman’s speech, is that it will trigger experiences that he himself has never spoken of, experiences that so overwhelmed him in his infancy that he constructed a fantasy to protect himself against this excess. As Apollon says, no subject has access to another subject’s experience. This is why there is no sexual relationship, and why the sexual is a risk: “there is no relationship between what there is in my intimate space and what there is in the other’s intimate space. It is a risk, not a relationship.”<sup>13</sup> This is why, as Apollon continues, “You can’t separate

<sup>11</sup> Willy Apollon, et al., *After Lacan: Clinical Practice and the Subject of the Unconscious*, trans. Robert Hughes and Kareen Ror Malone (State University of New York Press, 2002), 109

<sup>12</sup> Willy Apollon, “Psychoanalysis and the Freudian Rupture,” *differences: Constructing the Death Drive*, Vol. 28, No. 2, 2017: 17

<sup>13</sup> Willy Apollon, Séminaire psychose, GIFRIC, Secrétariat de Gifric à Montréal. September 11, 2019. Lecture. My Translation.

speech from the erotic.”<sup>14</sup> What is at stake between two people goes beyond what can be organized in the social link, and beyond the fantasy that each constructs to compensate for this defect.

Speech about the real of jouissance opens to a dimension of experience beyond what the father can metaphorize for the child by sustaining the space of the aesthetic for the child. This means that regardless of psychic structure — regardless of how well the Name of the Father is installed for the child — there is something in experience that remains outside of what the father can support for the child, and before which the child is alone. If once upon a time the stability of the social link and the stability of the symbolic Other gave enough support that a teenager or young adult could integrate into the social, it is no longer the case that there is a monolithic social link in which a neurotic man could integrate and participate. Changing economic and family structures mean that one cannot do the same thing, in the same way, that the preceding generation did. These changes in the structure of the social link reveal that each subject is solely responsible for articulating a jouissance that is out of language, at work in the body, to the social link, and solely responsible for knotting a jouissance to the symbolic there where the Name of the Father does not. This is not because the Name of the Father is defective, but because there is something in experience for which each subject is solely responsible. In the field of the sexual, where there is no other, there is only ethics as a guide.

Not only does the sexual go beyond what can be metaphorized by the father, but it goes beyond the spontaneous formations of the unconscious that appear where the subject is alone with the jouissance that has no place in language. To enter into the field of sexuality, beyond what can be negotiated, consented to, or managed in language, I want to here think both about the risk that the sexual introduces into human experience, and about how psychoanalysis has responded to this risk. In what follows I begin by turning to the phobic object, and then to the *sinthome*, concepts which appear, at different moments, as privileged constructions that make up for the fact that there is no such thing as a sexual relationship, and which allow the subject to live with the fact that there is something in experience that remains alien to the signifier, and with respect to which the subject must find a way. I then turn to Otto Rank’s break with Freud, which turns around the

<sup>14</sup> Ibid.

question of whether the phobic object is something to be enjoyed — which is Rank's position — or to be traversed — which is Freud's position. Finally, I'll turn to a consideration of the letter of the body — which is an inscription of *jouissance* beyond the phobic object and the fantasy of the primal scene — as a support for speech. If the phobic object, as well as the *sinthome*, are ways of managing risk, for making up for the fact that there is no Other, then the letter of the body names what is inscribed before the production of a fantasy, and is thus a support that allows subject to enter into the field of the sexual — which is to say into the field of speech outside of what is controlled in discourse, outside of what can be interpreted — in search of a part of the being that is lost to language, consciousness, and to the ego in the social link.

*The phobic object, the sinthome, and the limit of interpretation*

In his reading of Little Hans, in *Seminar IV*, Jacques Lacan theorizes the phobia as the child's spontaneous response to a dimension of experience, at work in the child's body and in his mother's body, before which the child finds himself alone. There is a "metaphoric function of the phobic object,"<sup>15</sup> because the phobic object appears as a metaphor for a real experience that the child is unable to situate himself with respect to. The structure of a phobia is, for Lacan, linked to a fantasy of being devoured by the mother. As Lacan writes, "the theme of devoration can always be found, from some perspective, in the structure of phobia."<sup>16</sup> Thus, in the case of Little Hans, who is scared of being bitten by a horse, "the gap that opens before him" is "that of being devoured by the mother."<sup>17</sup> Lacan further argues that the phobic object — the horse — appears at the place where the father does not sustain Little Hans with respect to an excess he encounters in his mother's body. As Lacan writes, "the phobic object comes to play the role that, because of some lack, because of a real lack in the case of Little Hans, is not

<sup>15</sup> Jacques Lacan, *Le Séminaire livre IV: La relation d'objet* (Paris: Seuil, 1994), 399. My Translation.

<sup>16</sup> Ibid, 228

<sup>17</sup> Ibid.

filled by the person of the father.”<sup>18</sup> The phobic object appears where the father is lacking, there where the child is confronted with something that overwhelms him. The phobic object, which appears at the place of this lack thus reveals something of what is at stake in the father, for the child. There are two faces to a phobia: there is a fantasy of being devoured by the mother, and there is the production of a phobic object — the horse — which functions to give a symbolic form to this fantasy of being devoured. It would seem that Lacan’s reading of the phobic object remains within an Oedipal structure: there is an excessive proximity to the mother, a “real lack” with respect to the father who could separate the child from the mother, and it is the phobic object that appears at the place of this lack, producing a symbolic principle that sustains a distance with respect to the mother. Yet the fantasy of devoration, at work in the phobic object, is itself an interpretation of an excess that goes beyond what the infant can manage; the traversal of the fantasy of devoration at work in the structure of phobia is structurally analogous to leaving the structure of Oedipus.

The phobic object, in these terms, is a first interpretation of a jouissance that goes beyond what the child can manage. It is this first interpretation that situates the real of a jouissance at work in the body as the Other’s jouissance, in the logic of a primary masochism. In *Powers of Horror* Julia Kristeva gives a reading of Little Hans’ phobia that situates the fantasy of devoration in Little Hans with respect to a fantasy of incorporation that she will associate with the abject. On the one hand, the difference between the fantasy of incorporation and a fantasy of devoration becomes a trace, in the fantasy of the primal scene, of sexual difference. On the other hand, Kristeva’s theorization of the abject situates the stakes of a writing that both limits, and preserves, the Other of the primal scene, and which opens to contemporary discussions of the *sinthome*. Kristeva writes:

“I am afraid of horses, I am afraid of being bitten.” Fear and the aggressivity intended to protect me from some not yet localizable cause are projected and come back to me from the outside: “I am threatened.” The fantasy of incorporation by means of which I attempt to escape fear (I incorporate a portion of my mother's body, her breast, and thus I hold on to her) threatens me nonetheless, for

<sup>18</sup> Ibid, 399

a symbolic, paternal prohibition already dwells in me on account of my learning to speak at the same time. In the face of this second threat, a completely symbolic one, I attempt another procedure: I am not the one that devours, I am being devoured by him; a third person therefore (he, a third person) is devouring me.<sup>19</sup>

For Kristeva there is a pre-symbolic and non-localizable fear that finds a first form in a fantasy of incorporation that is then externalized by the production of the phobic object that brings with it the fantasy of devoration. The phobic object here becomes equivalent to devoration, for it introduces a third term, which separates the mother from the child. It is behind the phobic object, in this haunting of the being by the fantasy of incorporation, that Kristeva finds the abject. As Kristeva writes: "The abject confronts us [...] within our personal archeology, with our earliest attempts to release the hold of maternal entity even before ex-isting outside of her, thanks to the autonomy of language."<sup>20</sup> For Kristeva it is always the father who devours, because the father introduces difference.

Between Lacan's articulation of the phobic object, as a metaphor for devoration by the mother, and Kristeva's articulation, as an intervention in the previous fantasy of incorporation, there is a trace of the real of sexual difference. A man, as an infant, before he can speak, is confronted by the radical alterity of his mother, for whom he is, from his birth or even before, marked as different. The fantasy of devoration does not appear as a solution to a prior fantasy of incorporation. Rather, it is an originary representation of what is at work in both his body and in the body of the woman who is his mother. If, for a man, the mother appears as an Other, then the question of what is beyond the phobia, for a boy, does not lead us to what Kristeva calls the fantasy of incorporation, but to an experience of *jouissance* both in his body and the body of the mother. In these terms, the analogue, for a woman, would be the experience of *jouissance*, both in her body and in the body of the mother, prior to the fantasy of incorporation. Further, I want to suggest that within the structure of a man's experience, what Kristeva identifies as the abject appears in the wake of a fantasy of the devouring Other, not as

<sup>19</sup> Julia Kristeva, *Powers of Horror: An Essay on Abjection*, trans. Leon S. Roudiez (New York: Columbia University Press, 1982), 39

<sup>20</sup> *Ibid*, 13



that which the Other allows the subject to externalize, to escape from. For a man, in other words, the abject is an effect of the fantasy of devoration, not its precondition. This difference between the logic of the fantasy of incorporation and the logic of the fantasy of devoration might then explain one kind of difference between what is at stake, for a man and for a woman, in speech. When a woman speaks, the fact that her speech does not correspond to what a man imagined — the fact that she is not the devouring Other — precipitates the fall of the Other of the fantasy, and is an opportunity to risk going beyond the protection of the fantasy of the primal scene. Conversely, what a man knows, when he speaks, is that the abject is not in a woman's body, but is rather what falls from a fantasy — as the excremental remain of devoration — that serves to silence a woman's body.

It is precisely this dimension of the abject — as that which falls from the Other — that Calvin Thomas brings out in his reading of the fantasy of the cloacal mother, who at once devours the child and gives birth to him through the rectum. Thomas takes the cloacal mother, “who is thought to have rendered the child's body rectally” as a central experience in a man's subjectivity, arguing that this “*actively* cloacal mother, the *abjecting* mother who is prior to any *abjecte*d or *castrate*d maternal object,”<sup>21</sup> continues to haunt or linger at the rim of all the subject's own “productions,” from the first *fort-da* to the last grasp or rattle.<sup>22</sup> Because he is haunted by this fantasy of the primal Other, the subject, Thomas argues, is left with two possibilities. The first is “the repression of the abject vulnerability of the male body — a repression necessary for the construction and maintenance of heteronormative masculinity —which demands a displacement of that vulnerability, and all that it materially entails, onto the feminine.”<sup>23</sup> The anxiety mobilized by this fantasy thus becomes part of “the patriarchal deployment of men as agents of domination, as those whose main political function becomes quite precisely to silence and to marginalize, if not to rape and kill.”<sup>24</sup> The alternative, Thomas proposes, is that this “male productive anxiety” might be entered into as “a psychosymbolic area that can be [...]

<sup>21</sup> Calvin Thomas, *Masculinity, Psychoanalysis, Straight Queer Theory: Essays on Abjection in Literature, Mass Culture, and Film* (New York: Palgrave, 2008), 3

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*, 22

<sup>24</sup> Calvin Thomas, *Male Matters* (Chicago: University of Illinois Press, 1996), 17

used as a site of resistance to patriarchy.<sup>25</sup> To this end, Thomas argues that that one way to “reconfigure male identification and desire” would involve paying attention to “the abject materialization of that body *in writing* — in writing as extimate bodily function or effusion.”<sup>26</sup> Here Thomas appeals to Kristeva’s notion that “one might then view writing, or art in general, as the only, not treatment, but “know-how” where phobia is concerned.”<sup>27</sup> As Kristeva continues, “[t]he writer is a phobic who succeeds in metaphorizing in order to keep from being frightened to death; instead he comes to life again in signs.”<sup>28</sup> While for Kristeva the phobic object is a writing that protects against a previous fantasy of incorporation, for Thomas the abject is a way of transforming the relationship to the devouring Other. Writing — in the terms that Thomas approaches it — does not allow a movement beyond the fantasy of the primal Other — Thomas’s cloacal mother — but rather aims at a transformation of the fantasy that opens to a different kind of jouissance, which preserves the fantasy of devoration while avoiding the violent projection of the fantasy onto a woman’s body. Neither Thomas, nor Kristeva, use the language of the *sinthome* in their discussion of the phobia, but it is just this change in position that Geneviève Morel brings out in her reading of the *sinthome*.

In *The Law of the Mother*, Morel writes that “Lacan invented his formulation of the paternal metaphor on the basis of the case of Little Hans, who suffered from a phobia of horses precisely because he was unable to symbolise the principle that could separate him from his mother.”<sup>29</sup> Morel continues that “the *sinthome* is of particular interest in these cases where the paternal metaphor, if it is present at all, fails to separate the child from the mother.”<sup>30</sup> The *sinthome*, like the phobic object, is a writing that comes at the place of a real lack. If the phobia appears at the place of the paternal metaphor, the *sinthome* is what the subject produces to manage that scene of experience that remained unattached to the signifier precisely because the

<sup>25</sup> Ibid.

<sup>26</sup> Calvin Thomas, *Masculinity, Psychoanalysis, Straight Queer Theory: Essays on Abjection in Literature, Mass Culture, and Film*, 21

<sup>27</sup> Julia Kristeva, *Powers of Horror*, 37

<sup>28</sup> Ibid, 38

<sup>29</sup> Geneviève Morel, *The Law of the Mother: An Essay on the Sexual Sinthome*, trans. Lindsay Watson (New York: Routledge, 2018), 17

<sup>30</sup> Ibid, 266

paternal metaphor was not established. In *The Law of the Mother* Morel argues that “the child learning to speak remains marked for life by the words and the jouissance of the mother (or her substitute). This results in subjugation to her demand, to her desire and to her jouissance, ‘the law of the mother,’ from which the child needs to separate.”<sup>51</sup> Morel continues that “the *sinthome* is rooted in maternal language,”<sup>52</sup> in that the subject makes use of ambiguities and equivocations in the mother’s speech to construct this *sinthome*. The signifiers that are at play in the symptom, in the phobia, become the material that the subject can use to write a *sinthome* which allows him to modify his position within the fantasy. The *sinthome* appears as another way of managing a set of experiences with which the child is alone, for which the father can give no protection.

Morel gives a case study of an analysand named “Bill,” which traces this transformation of a phobia into a *sinthome*. Bill remembers, when he was a child, watching his “mother walking around in nothing but a corset, in the morning, before she got dressed; the corset she wore was ‘mummy-shaped.’”<sup>53</sup> When he was a child, he experienced “an episode of phobia” that was “based on his belief in the phallic mother dressed in her mummy-like corset.”<sup>54</sup> The persistence of this phobia led to a “compulsive and masturbatory sexuality”<sup>55</sup> that turned around a “masturbatory fantasy” (296) related to this image of the mother as mummy. Morel writes that an analytic work led him to a practice of writing that allowed him to change position with respect to this fantasy, as he “made the transition from a transvestite identification with his mother (incarnated in the fascinating image of the pharaoh who was actually a woman), articulated with his masturbatory jouissance, to a practice of writing about the fascinating image, which allowed him to obtain jouissance ‘in another way.’”<sup>56</sup> Crucially, as Morel continues, this *sinthome* “preserved, in an attenuated form, a belief in the primordial Other.”<sup>57</sup> Like Thomas’s attention to the object materialization of a man’s body in writing in order to not react against

<sup>51</sup> Ibid, 306

<sup>52</sup> Ibid.

<sup>53</sup> Ibid, 292

<sup>54</sup> Ibid, 296

<sup>55</sup> Ibid.

<sup>56</sup> Ibid, 297

<sup>57</sup> Ibid.

the fantasy of the abjecting mother through a violence against women, the *sinthome* — in these terms — both compensates for the fact that there is no sexual relationship, and allows the subject to change position within this fantasy. Yet if the real this writing responds to is the fantasy of devoration, then the being remains haunted by the primal Other, which persists as the logic of a fantasy that cannot be traversed. What then does it mean to traverse the first writing of the phobic object? What would it mean to traverse, rather than compensate for, the absence of the father?

### *Freud and the traversal of the phobia*

Lacan, as Morel writes, follows Freud's thesis that in Little Hans, there is "the substitution of horse for father."<sup>38</sup> Yet whereas for Lacan the phobic object appears there where the father fails to separate the child from the mother's body, for Freud the fear of being bitten by the horse transforms the anxiety of being castrated by the father, which itself represses an aggression against the father. Freud, against all evidence, argues that what is at stake in the fantasy of devoration is the fear of being devoured by the father. This, however, brings out a crucial dimension of what it means to traverse a phobia. In *On the Names-of-the-Father*, Lacan writes that "the primal father is the father prior to the prohibition of incest, prior to the appearance of the Law — the order of marriage and kinship structures — in a word, prior to the appearance of culture."<sup>39</sup> The primal father, says Lacan, "can only be an animal,"<sup>40</sup> for his satisfaction "knows no bounds."<sup>41</sup> Lacan continues that "neurosis is inseparable in my eyes from a flight from the father's desire, for which the subject substitutes the father's demand."<sup>42</sup> It is in these terms that I want to turn to Otto Rank's rupture with Freud, in the terms of Rank's 1924 *The Trauma of Birth*, and Freud's response in "Inhibition, Symptom, and Anxiety." Whereas for Freud what is at stake in the fantasy of devoration is a flight from the primal father, a flight that

<sup>38</sup> Ibid, 17

<sup>39</sup> Jacques Lacan, *On the Names-of-the-Father*, trans. Bruce Fink (Malden: Polity, 2013), 74

<sup>40</sup> Ibid, 74

<sup>41</sup> Ibid.

<sup>42</sup> Ibid, 77

preserves the fantasy of the father's demand, for Rank the fantasy of devoration is a fantasy of a return to the mother.

In his *The Trauma of Birth*, Rank argues that the fundamental trauma is the experience of being born, which deprives the infant of the satisfaction of being in the womb. Rank calls the experience in the womb the "primal situation,"<sup>43</sup> and the experience of birth, the "primal trauma."<sup>44</sup> For Rank, the problem that the child has, from the moment of birth on, is that of "*how to get inside*."<sup>45</sup> The fantasy of devoration thus becomes the fantasy of a way to get inside. Rank writes, of the "infantile theory of birth, inferred from the Unconscious by Freud, with its reference to the digestive process, links on directly to the mother's womb; the child enters the mother through the mouth (as food) and is ejected as faeces through the rectum."<sup>46</sup> The problem is not devoration, but birth itself, and in these terms the fantasy of devoration is, for Rank, the logic of human desire as such — the desire for a return to the womb. The point of a psychoanalysis, for Rank, is the mastery of the trauma of being separated from the mother. Rank thus argues that "in the analytic situation the patient repeats, biologically, as it were, the period of pregnancy, and at the conclusion of the analysis — *i.e.*, the re-separation from the substitute object — he repeats his own birth for the most part quite faithfully in all its details. *The analysis finally turns out to be a belated accomplishment of the incompleted mastery of the birth trauma.*"<sup>47</sup> It is the birth trauma that is at the root of all phobias, and analysis frees the subject from the primal trauma, in order to pursue the primal situation by other means. Rank argues that what constitutes the human — as distinct from the animal — is that humans work to "change or mould the external world in the same way into an exact copy of the Unconscious."<sup>48</sup> Rank argues that in the field of the symbolic — in dreams, fantasies, art, or architecture — the human works to recreate the experience of being inside a womb. In this sense, Rank argues that "the whole circle of human creation, from the nocturnal wish-dream to the adjustment to reality, as an attempt to materialize the primal situation — *i.e.*, to undo the primal trauma" (103). Rank is uncritically and

<sup>43</sup> Otto Rank, *The Trauma of Birth* (New York: Robert Brunner, 1957), 95

<sup>44</sup> *Ibid*

<sup>45</sup> *Ibid*, 31

<sup>46</sup> *Ibid*

<sup>47</sup> *Ibid*, 5

<sup>48</sup> *Ibid*, 101

fully committed to an Oedipal structure, where the object of man's desire is a woman, and a woman has no desire. Yet in broad structural terms, the problematic is the same as what Thomas articulates: there is a passage from a phobia to symbolic practice.

When Freud responds to *The Trauma of Birth* in "Inhibition, Symptom, and Anxiety," he refers to Little Hans and to the Wolf Man. Whereas for Rank, what is at stake is the enjoyment of the object of the phobia, for Freud the question is an ethics of castration that aims at not only a traversal of the phobia, but at a traversal of the object of enjoyment at stake in the phobia. For both Little Hans and the Wolf Man, Freud writes, "the ideas contained in their anxiety—being bitten by a horse and being devoured by a wolf—were substitutes by distortion for the idea of being castrated by their father."<sup>49</sup> Freud writes that "the instinctual impulse which was repressed in both phobias was a hostile one against the father."<sup>50</sup> In the phobias, this aggressive impulse has been turned into its opposite: "One might say that that impulse had been repressed by the process of being transformed into its opposite. Instead of aggressiveness on the part of the subject towards his father, there appeared aggressiveness (in the shape of revenge) on the part of his father towards the subject."<sup>51</sup> As the repression of this aggression towards the father, the phobia is a trace of the fact that the child — and the man who continues to grapple with a phobia — is implicated in the fundamental scene, first outlined in *Totem and Taboo*, that produces the structure of the social world as such. In "From the History of an Infantile Neurosis" Freud writes that it is not particularly important if the primal scene really happened or not, for it is "an inherited endowment, a phylogenetic heritage."<sup>52</sup> For Freud, the fantasy of devoration at work in the phobia is the phylogenetic heritage of cannibalistic murder of the father of the primal horde, and which is at the origin of the social link as such. What is repressed in the phobia is this phylogenetically determined structure, which is the responsibility that each has to kill and devour the father in order to establish and take responsibility for the structure of the social link. In

<sup>49</sup> Sigmund Freud, *Inhibitions, Symptoms and Anxiety*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud* (Hereafter "SE" + volume number), trans. and ed. James Strachey (London: Hogarth Press, 1981), Vol. XX, 108.

<sup>50</sup> Ibid, 106

<sup>51</sup> Ibid.

<sup>52</sup> Sigmund Freud, "From the History of an Infantile Neurosis," SEXVII, 97

these terms, the continual instance of a phobia in an adult signals a lack of shared responsibility for the social as such.

For Freud, no less than for Rank, Oedipus is not a theoretical affair, but a practical question: what is a man going to do with the knowledge produced in analysis? What is one going to do when one understands the stakes of a phobia? In his 1930 *Psychology and the Soul*, which he wrote after his definitive break with Freud and psychoanalysis, Rank turns to the moment in Sophocles' *Oedipus the King* where Jocasta tells Oedipus that "in dreams many men have seen themselves united with their mother. *But he who holds all this as insignificant* bears lightly the burdens of life."<sup>53</sup> Whereas Freud takes the side of the knowledge presented in the dream, Rank takes Jocasta's side, writing that "Jocasta associates with her own a general world view that stands out for me in *Oedipus*: accept things as they appear to be."<sup>54</sup> As Rank cites Jocasta: "Why should man fear, who is controlled by chance and foresees nothing clearly? To live spontaneously, to live as life goes—that is best. Therefore fear not marriage with your mother."<sup>55</sup> As James Lieberman writes, "With Jocasta [Rank] argued against Oedipus and Freud: *Living is better than knowing when the two are in conflict*."<sup>56</sup> As Rank writes in *Psychology and the Soul*: "Deep down, we don't want to observe ourselves and increase self-knowledge. First of all, the search for self-knowledge is not an original part of our nature; second, it is painful; and finally, it doesn't always help but often is disturbing."<sup>57</sup>

At a certain moment in analysis, Apollon writes, through "the analysis of jouissance and the masochism at stake within the symptom" the analysand "is no longer in a position to act as if he knew nothing."<sup>58</sup> At this moment, there are only two options open to the subject, "either he assumes responsibility for this knowledge, or he gets what he can out of a protected jouissance in the form of a symptom that will put an end to the analytic

<sup>53</sup> Otto Rank, *Psychology and the Soul: A Study of the Origin, Conceptual Evolution, and Nature of the Soul*, trans. Gregory C. Richter and E. James Lieberman (Baltimore: Johns Hopkins University Press, 1998), 83 (Rank's emphasis).

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> James E. Lieberman, *Acts of Will: The Life and Work of Otto Rank* (Amherst: University of Massachusetts Press, 1985), xxxviii

<sup>57</sup> Ibid, 5

<sup>58</sup> Willy Apollon, "The Untreatable," trans. Steven Miller, *Umbr(a): Incurable* (2006): 37.

experience.”<sup>59</sup> It is this choice, Apollon proposes, that is “at the basis of many of the schisms that have shaken up the history of analysis.”<sup>60</sup> In the terms of Rank’s break with Freud, the question becomes one of whether a phobia is something to be enjoyed, or traversed. In Freud’s account a woman is reduced to a placeholder for the lack of an object. In this crucial respect Freud remains within the structure of Oedipus. At the same time, there is an irreducible difference between the positions of Rank and Freud. While for Rank the fantasy of devoration involves a man and a woman, for Freud it is an affair between men. For Freud, the question of what it means to be a man — to have traversed Oedipus and to assume a position of responsibility for the law and the social link — has nothing to do with a man’s desire for a woman’s body. The enjoyment of a woman as an object of satisfaction — the enjoyment that Rank finds in the fantasy of devoration, of getting inside the womb — is a failure to take responsibility for the social link. If Freud remains within the structure of Oedipus, within the structure of a prohibition that maintains a woman as an object of exchange, the ethics he finds there goes beyond the enjoyment of the symptom, to an ethics of castration and the responsibility for others in the social link.

### *Speech and the Body*

The fantasy of devoration is something that can be traversed because there is no Other of the primal scene. That is to say that the real experience that the fantasy of devoration responds to is not, itself, mixed up in the fantasy of the Other. The letter of the body names what is at stake in the body beyond the symptom, beyond the phobic object, and thus sustains a speech that opens to the beyond of the phobic object as a space of exploration, rather than as a scene of unspeakable fear.

The letter of the body, Apollon writes, “implies the parceling out of a body for which the ego as a covering image stands for unity [...] divorcing

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.



the body from the organism without giving up the energetic supply the one provides to the other,"<sup>61</sup> and "inscribes the body in the field of desire that restrains jouissance within the Law."<sup>62</sup> Yet if the letter inscribes the body within the law, it is equally the case that the letter sustains something in the body that does not pass through the law. Apollon writes that "clinical experience leads us to realize that there is a division in the Letter."<sup>63</sup> This division corresponds to the difference between "that of the drive that passes to the signifying representation of the unconscious" and that of the drive that "remains rebellious to all signifying representation in the unconscious."<sup>64</sup> On the one hand, there is the part of the unconscious that passes into representation, that is restrained in the field of the law, on the other hand, there is the "precocious and premature encounter with the real of jouissance that breaks and leaves defective every signifying chain."<sup>65</sup> This encounter with a real of jouissance in the body of the woman who is his mother, and with this same jouissance in his body, inscribes an experience in the child that does not pass through the signifier.

The inscription of this jouissance that breaks the signifying chain is what Apollon calls the "rebel letter."<sup>66</sup> This "writing of a jouissance that escapes the law of castration on the side of the adult inscribes the child's being, in a sense, in the non-said of a silent jouissance."<sup>67</sup> Apollon continues that "this jouissance that is out-of-the-Law carries with it the senseless and arbitrary dimension of the Law."<sup>68</sup> This experience of this jouissance, this excess that the infant has no way to manage, produces a panic, and it is here that the phobic object arrives as a solution to this panic. Apollon writes that "what is inscribed there that is not representable in the signifier of the unconscious, opens the being to the vortex of the 'thing' that is at work and that disturbs the field of representation to the point of panic where the only the phobic object, or the fetish, or at the limit the passage to the act, can stop

<sup>61</sup> Willy Apollon, et al., *After Lacan*, 109

<sup>62</sup> Ibid

<sup>63</sup> Willy Apollon, "Qu'est-ce que'un enfant?" in *La différence sexuelle au risque de la parenté: Conférences et écrits* (Québec: Savoir, 1997), 152 (my translation).

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid, 153

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

disaster.”<sup>69</sup> For the neurotic — for it is the neurotic whose ethical failures in the sexual are called to account by MeToo — it is the phobic object that appears as a limit to that which is beyond representation. This dimension of jouissance, that is outside of the law of the signifier, is the reason why we speak.

Apollon writes that the division in the letter takes account “at the same time of the production of the child as *parlêtre* and of its status as ‘*infans*,’ as non-speaking.”<sup>70</sup> While the fundamental experiences that constitute humans as subjects are only accessible through speech, these are experiences that are beyond speech, that we lived through before we were able to speak, before we are able to enter into the field of speech. Because the speaking being, the *parlêtre*, as Lacan puts it, does not speak the first years of life, the only way for the being to manage the excess of these experiences is through the production of a fantasy, which, through the logic of primary masochism, binds the sexual through an appeal to an Other who could be responsible for introducing this jouissance into the being, and where the Other is lacking, it is the fantasy that responds. The reason that we respond to what is beyond the phobic object with panic, is that it is an object to which we can have no access before we speak. The phobic object thus appears as a necessary construction, but one that loses its value when the being comes into speech. This is because a teenager, as an adult, can speak about these experiences that were once, necessarily, experienced in the silence of the body. Lucie Cantin writes that, in an analysis,

there comes a moment where, in a sense, the analysand traverses the mirror, where the inscriptions in the body take over, bringing the body in front of the stage by testifying to experiences constructed before language, before consciousness. In a way the body speaks on its own, and what it testifies of comes from a time before the call to the Other that produced the elaboration of a fantasy, to there where the subject had the experience in his or her body that the Other does not know, and moreover that the Other could do nothing for him.<sup>71</sup>

<sup>69</sup> Ibid.

<sup>70</sup> Ibid, 151

<sup>71</sup> Lucie Cantin, “L’absence de l’Autre, le sujet de la pulsion libre et sa quête intraitable,” *Correspondances, courrier de l’École freudienne de Québec*, Vol. 17, No. 2 (2017): 25 (my translation).

If this experience of speech is possible in analysis, it is possible because each subject has lived through this time before the call to the Other that produced the elaboration of the fantasy. These experiences — the inscriptions of what cannot find its way except through the speech that they go beyond — and not the fantasies that cover them over, are what is at stake in the sexual. The field of the sexual thus takes the being beyond demand, for demand as such is itself an interpretation, linked to the phobic object in that it represents the jouissance that goes beyond all representation as originating in the Other. As in Calvin Thomas's argument, where sexual violence represses the vulnerability of the male body subjected to the experience of the devouring cloacal Other, the reduction of sexuality to an enjoyment of the other's body appears as a response to demand. It is precisely this dimension of demand that Morel identifies so clearly as the "law of the mother," the child's "subjugation to her demand, to her desire and to her jouissance." The writing that Kristeva describes as "a 'know-how' where phobia is concerned," or the *sinthomic* writing that allows the subject to open a certain distance, a space of maneuver, with respect to the fantasy of the primal Other, takes the unspeakable real of the uncastrated jouissance as a scene of untraversable panic. But it is precisely in speech, in what was not there for the infant, that the being can find a way in this experience as a real that is the source of the subject. The phobic object — which appears as the trace of the absence of a father who could take responsibility for what is at stake in unconscious experience — can be traversed because in speech the subject can go further than the first interpretation of the primal Other. Speech gives access to this scene not as an impossible excess that produces a panic, but as that which must be preserved at the center of human experience.

We speak because there is something that goes beyond what we can say, because there is something in the being that is rebellious to all representation. We speak, in other words, because there is something we cannot say. It is the speaking body, not the body as an object of satisfaction, or the body given to reproduction, that is at stake in the sexual. Sex — not what we say or imagine of sex, the pornographic or the genital, or the search for a limit in the other's body, but rather sex as the speech that ruptures with repression of the sexual — carries with it the fact that there is a fundamental incompatibility between what is at stake in sex, and what we say or imagine about it. This is not because of Oedipus, because of the conflict between

what we would like to do to the other's body, and what the other consents to, but because it is a division in the being between the part of the being that is outside of representation, and everything that can be said, that constitutes the erotic.

### *The sexual, and discourse*

The sociologist Sherry Turkle, who studies both how we interact with new technologies, and how these new technologies present themselves as metaphors for what it is to be human, provides another approach to the question of consent, by showing how the increasing wave of consumer robotics and smart devices aims to short-circuit what is at stake in the erotic body by leveraging the language of consent — of yes means yes, and no means no — to produce a simulacrum of an erotic body. In her 2011 *Alone Together* Turkle writes of

a beautiful 'female' robot, Aiko, now on sale, that says, 'Please let me go...you are hurting me,' when its artificial skin is pressed too hard. The robot also protests when its breast is touched: 'I do not like it when you touch my breasts.' I find these programmed assertions of boundaries and modesty disturbing because it is almost impossible to hear them without imagining an erotic body braced for assault.<sup>72</sup>

In these terms, it is no surprise that in 2018, in the wake of MeToo, a project briefly arose to raise funds for a "consent oriented sex robot brothel" which would involve "the consensual use of anatomically correct sex robots programmed to give their permission before intercourse with patrons" (Daily Star). In this sense, the discourse of consent — as something to be given or withdrawn — not only reduces the body to something that serves as the object of the other's satisfaction, but produces a simulacrum of an erotic body in discourse. The allure of these robotic companions is that, as

<sup>72</sup> Sherry Turkle, *Alone Together: Why We Expect More from Technology and Less from Each Other* (New York: Basic Books, 2017), 49

Turkle writes, the “dependence on a robot presents itself as risk free.”<sup>73</sup> Turkle’s concern is that “when one becomes accustomed to ‘companionship’ without demands, life with people may seem overwhelming” and that this retreat from risk will consign us “to a closed world.”<sup>74</sup> These post-human fantasies have the benefit of clarifying that it is because of the body that we speak, and that discourse aims to control, if not fully repress, the speech that opens us to a real beyond consciousness, beyond control. In the absence of a third term, of an Other who could guarantee our relationships, there is only speech that opens a path to what is real in experience, to what is real in the other. Beyond any writing that would make up for the absence of the Other, that could make up for the fact that there is no sexual relationship, there is only the question of how far we are willing to go, in speech, with the others with whom we find ourselves.

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<sup>73</sup> Ibid, 66

<sup>74</sup> Ibid, 66